

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

BARNETT et al.

Serial No.: 09/475,704

Art Unit: 1633

Filed: December 30, 1999

Examiner: Shin Lin Chen

Title: POLYNUCLEOTIDES ENCODING ANTIGENIC HIV TYPE C
POLYPEPTIDES, POLYPEPTIDES AND USES THEREOF

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The information listed below may be material to the examination of the above-identified application. Copies of the information and completed PTO-1449 forms are submitted herewith. The Examiner is respectfully requested to make this information of official record in the application. The information includes:

United States Patent No. 4,652,639 issued March 24, 1987 to Stabinsky;
United States Patent No. 4,861,707 issued August 29, 1989 to Ivanoff et al.;
United States Patent No. 5,082,767 issued January 21, 1992 to Hatfield et al.;
United States Patent No. 5,130,247 issued July 14, 1992 to Kniskern et al.;
United States Patent No. 5,156,949 issued October 20, 1992 to Luciw et al.;
United States Patent No. 5,688,688 issued November 18, 1997 to Luciw et al.;
United States Patent No. 5,786,464 issued July 28, 1998 to Seed;
United States Patent No. 5,792,459 issued August 11, 1998 to Haigwood ;
United States Patent No. 5,795,737 issued August 18, 1998 to Seed et al;
United States Patent No. 5,840,313 issued November 24, 1998 to Vahlne et al.;
United States Patent No. 5,846,546 issued December 8, 1998 to Hurwitz et al.;

United States Patent No. 5,859,193 issued January 12, 1999 to Devare et al.;
United States Patent No. 5,876,724 issued March 2, 1999 to Girard;
United States Patent No. 5,876,731 issued March 2, 1999 to Sia et al.;
United States Patent No. 6,090,388 issued July 18, 2000 to Wang;
International Publication No. WO 90/00556 published January 25, 1990;
International Publication No. WO 96/30523 published WO 96/30523;
International Publication No. WO 97/48370 published December 24, 1997;
International Publication No. WO 98/12207 published March 26, 1998;
International Publication No. WO 00/29561 published May 25, 2000;
European Publication No. 0 199 301 A1 published October 29, 1986;
European Publication No. 0 449 116 B1 published October 2, 1991;
Barre-Sinoussi et al., *Science* 220:868-871 (1983);
Bolognesi et al., *Ann. Int. Med.* 8:(7):603-611 (1994) (Moderator: D.F. Hoth);
Borsetti et al., *J. Virol.* 72(11):9313-9317 (1998);
Burton et al., *AIDS* 11(Suppl. A):S87-S98 (1997);
Cao et al., *J. Virol.* 71(12):9808-9812 (1997);
Cheng-Mayer, *PNAS USA* 86:8575-8579 (1989);
D'Souza et al., *J. Infect. Dis.* 175:1056-1062 (1997);
Earl et al., *PNAS USA* 87:648-652 (1990);
Earl et al., *J. Virol* 65:31-41 (1991);
Fiore et al. *Virol.* 204:297-303 (1994);
Freed, E.O., *Virology* 251:1-15 (1998);
Haas et al., *Current Biology* 6(3):315-324 (1996);
Haynes et al., *Science* 271:324-328 (1996);
Hu et al., *Science* 255:456-459 (1992);
Javaherian et al., *PNAS* 86:6786-6772 (1989);
Jeffs et al., *J. of Gen. Virol.* 77:1403-1410 (1996);
Kang et al., *PNAS USA* 88:6171-6175 (1991);
Kwong et al., *Nature* 393:648-659 (1998);
Lu et al., *AIDS Res. Hum. Retroviruses* 14(2):151-155 (1998)

Mammano et al., *J. Virol.* 68(8):4927-4936 (1994);
Mascola et al., *J. Infect. Dis.* 169:48-54 (1994);
Matsushita et al., *J. Virol.* 62:2107-2144 (1988);
Matthews *PNAS USA* 83:9709-9713 (1986);
McDougal et al., *J. Immunol.* 137:2937-2944 (1986)
Montefiori et al., *AIDS Res. Hum. Retroviruses* 15(8):689-698 (1999);
Nara et al., *J. Virol.* 62:2622-2628 (1988);
Palker et al., *PNAS USA* 85:1932-1936 (1988);
Peng et al., *AIDS*, 11:587-595 (1997);
Putney et al., *Science* 234:1392-1395 (1986);
Ratner et al., *Nature* 313:277-284 (1985);
Robert-Guroff et al., *Nature* (London) 316:72-74 (1985);
Rushe et al., *PNAS USA* 85:3198-3202 (1988);
Sanchez-Pescador et al., *Science* 227(4686):484-492 (1985);
Stamatatos et al., *AIDS Res. Hum. Retroviruses* 14(13):1129-1139 (1998);
Stamatatos et al., *J. Virol.* 72(10):7840-7845 (1998);
Thali et al., *J. Virol.* 67(7):3978-3988 (1993);
Trokla et al., *J. Virol.* 69(11):6609-6617 (1995);
Wang et al., *Virology* 200:524-534 (1994);
Weiss et al., *Nature* (London) 316:69-72 (1985);
Weiss et al., *Nature* (London) 324:572-575 (1986);
Wyatt et al., *J. Virol.* 69(9):5723-5733 (1995);
Wyatt et al., *Nature* 393:705-711 (1998); and
Zhu et al., *Science* 261:1179-1181 (1993).

This Information Disclosure Statement under 37 CFR § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the

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information, protocols, results and the like reported by third parties are accurate of enabling; or (iv) the above information constitutes prior art to the subject invention.

Respectfully submitted,

Date: 23 Oct 2000

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